the case of a beneficiary of an "old line" policy, who is liable to have his interest defeated, should not be the same. If such can be said to be the case, why can that expectancy not be defeated as well by a surrender as by a change of the beneficiary. The principal case is the first to have met the question squarely, and it seems that much can be said for the contrary doctrine.

JUDGMENT—PERSONAL SERVICE.—The plaintiff sued the defendant, a partnership, in the circuit court of Cook County, Illinois, on a judgment rendered by the circuit court of Jefferson County, Kentucky, in favor of the plaintiff. Service in the original suit, brought in the Kentucky court, was by serving Washington Flexner, the agent of the defendant, as permitted by section 51 of the Civil Code of that state. *Held,* such service is invalid when construed to justify a personal judgment against non-resident partners. *Flexner* v. *Farson, et al.* (Ill. 1915), 109 N. E. 327.

It is well settled that the full faith and credit clause of the Federal Constitution, as to judgments, does not preclude an inquiry into the jurisdiction of the court rendering the judgment, when an action is brought upon that judgment in a sister state. *Pennoyer* v. *Neff,* 95 U. S. 714, 24 L. Ed. 565; *M'Elmoyle* v. *Cohen,* 13 Pet. 312; *D'Arcy* v. *Ketchum,* 11 How. 165. The statute under which the original suit was brought, has been held constitutional in the highest state court of Kentucky in *Guenther* v. *American Steel Hoop Co.,* 116 Ky. 580, 76 S. W. 419, and in *Johnson* v. *Westerfield's Adm'r,* 143 Ky. 10, 135 S. W. 425, the court relying upon a statement in *Pennoyer* v. *Neff,* supra, on page 735. But, as pointed out in the principal case, that statement was unnecessary to a decision in that case, and so must be regarded as mere dictum. Statutes permitting service on an agent of a foreign corporation for judgment in personam have generally been held constitutional. *Insurance Co.* v. *French,* 18 How. 404; *Smith* v. *Empire State Idaho M. & D. Co.,* 127 Fed. 462; *McNichol* v. *The U. S. Mer. Rep. Agency,* 74 Mo. 457; *Groel* v. *United Electric Co.,* 69 N. J. Eq. 397, 60 Atl. 822. But these cases are not in point, for a corporation can go into a state only as a matter of grace, and for that reason must submit to whatever conditions the state sees fit to impose. *Railroad Co.* v. *Harris,* 12 Wall. 65; *Insurance Co.* v. *Carrugi,* 41 Ga. 660. A non-resident person, unlike a corporation, does business in any state of the Union, not by virtue of the consent of the state, but under the 14th Amendment to the Federal Constitution. His property which he sends into the state he submits to the jurisdiction of its courts, but not his person. *Pennoyer* v. *Neff,* supra. If the statute is unconstitutional as to an individual, it cannot be held constitutional as to a partnership, for the theory that a partnership is a legal entity, distinct and separate from the persons composing it, is not recognized by the weight of authority. *Francis* v. *McNeal,* 228 U. S. 695; *Abbott* v. *Anderson,* 265 Ill. 285. Thus service on an individual, as agent of a non-resident partnership, is insufficient to enable the court to render a judgment *in personam* against that partnership, as was held concerning this very statute in *Mondock* v. *Kirby,* 118 Fed. 180; and in *Caldwell* v. *Armour,* 1 Penn. (17 Del.) 545, 43 Atl. 517; *Cabenne* v. *Graff,* 87 Minn. 510, 92 N. W. 461.